



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Massimiliano Antonio Poletto et al. Art Unit : 2184
Serial No. : 10/066,232 Examiner : Perungavoor, Venkatanaray
Filed : January 31, 2002
Title : DENIAL OF SERVICE ATTACKS CHARACTERIZATION

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION IN
REPLY TO ACTION OF NOVEMBER 7, 2005

Applicant asks reconsideration of this application as follows:

REMARKS

This response is accompanied by a Notice of Appeal.

Applicant notes that the examiner has re-indicated that claims 8-17, 23-24 and 39-40, would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant thanks the examiner for the indication of allowable subject matter. Applicant contends however, that all of the claims are allowable over the art of record, as is discussed below.

The examiner rejected claims 7, 21-22 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,304,262 Maloney et al.(hereinafter Maloney).

In addressing Applicant's prior response, the examiner stated:

The Applicant's arguments regarding Claim 7 are not persuasive. As Maloney discloses the monitoring of network packets(see Col 8 In 27-40) and producing a graph and correlates between historical graph(see Col 6 Ln 65- Col 7

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